

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**DONALD ROBOHM and
NATALIE ROBOHM**

PLAINTIFFS

VERSUS

CIVIL ACTION NO. 1:08cv490-LTS-RHW

**STATE FARM FIRE &
CASUALTY COMPANY**

DEFENDANT

ORDER

Before the Court is [75] Defendant's motion to clarify the Court's text order entered December 7, 2009, which granted Defendant's [68] motion to extend discovery for the limited purpose of allowing completion of three depositions, and to accordingly extend the motions deadline. The motion to extend the discovery and motions deadlines was filed December 2, 2009, the day discovery was set to end. The text order in question granted the motion in part, and extended discovery to January 4, 2010 and the motions deadline to January 19, 2010.

Since the Court granted motion [68], Plaintiffs have, for the first time, served interrogatories [70] and requests for production[71] on Defendant¹ in this case; designated experts on December 11, 2009, although Plaintiffs' expert deadline had expired over five months earlier, on July 1, 2009;² and have noticed a Rule 30(b)(6) deposition of Defendant. In the present motion [75], State Farm asks that the Court clarify its text order to state it was intended to grant the limited relief requested in the motion rather than to be a general re-opening of discovery.

¹Since responses to this discovery are not due under the Rules before even the extended discovery deadline of 1/4/2010, the Rules do not require Defendant to respond to them.

²Defendant has a pending motion [73] to strike the designation as untimely.

The Court finds the motion to clarify well-taken, and hereby states that the text order of December 7, 2009 was intended to, and did, grant only the relief requested in the motion [68]; it was not intended to be a general re-opening of discovery and will not operate as such. It is therefore,

ORDERED, that the motion to clarify is granted. The Court's December 7, 2009 text order granted extension of scheduling order deadlines only for the purpose of completion of the depositions noted in the motion, and extension of the motions deadline.

SO ORDERED, this the 29th day of December, 2009.

/s/ Robert H. Walker

ROBERT H. WALKER
UNITED STATES MAGISTRATE JUDGE